

**DELAWARE WATER GAP NATIONAL RECREATION AREA
CITIZEN ADVISORY COMMISSION
PO BOX 284**

Bushkill PA 18324

Minutes of the January 19, 2006 Meeting

A meeting of the Delaware Water Gap National Recreation Area Citizen Advisory Commission was held on Thursday, January 19, 2006, at the Montague Municipal Building, Montague, New Jersey. Acting Chairman Gross called the meeting to order at 7:00 p.m., beginning with the Pledge of Allegiance to the Flag of the United States of America. This meeting was not properly posted in the Federal Register, as required by the Federal Advisory Committee Act (PL 92-463, Section 10(a)(2)); therefore no official business was conducted.

Roll Call

Citizen Advisory Commission members in attendance were Mr. Gross, Mr. Hanley, Mr. Heller, Ms. Maxaner, Ms. McDowell, Mr. Murray, and Mr. Price. Absent were Ms. Bertucci-Turner, Mr. Kresge, and Mr. Van Campen. Park staff in attendance were Superintendent Donahue, Superintendent's Secretary Nelson, Acting Chief of Resource Protection and Visitor Management Clawson, Acting Chief of Maintenance Leonard, Chief of Visitor Services and Cultural Resources Wright, Water Resources Specialist Cooke-Bauer, Telecommunications Specialist O'Leary, and Volunteer Coordinator Carawan. Members of the public who signed the attendance list included Alicia Batko, Davis Chant, Lou Cherapy, Gene Crawford, Barth D'Ascoli, Edward W. Ibold, Bill Irwin, Mark Krebs, Bob McDowell, Tom Shimalla, and Janina Wycalek.

Correspondence

The list of letters received or sent since the last meeting was reviewed. This correspondence will be made part of the official record. Those wishing to review the correspondence may do so at park headquarters in Bushkill, Pennsylvania, or at the library repositories for the Commission.

1. Letters dated November 19, 2005, to Secretary of the Interior Gale Norton from Mr. Van Campen relaying the 2003-2004 and 2004-2005 annual Commission reports.
2. *The Star Ledger* article dated November 29, 2005, titled "Animal Rights Groups Sue to Block State's Bear Policy and Hunt".
3. Letter dated December 5, 2005, to Secretary of the Interior Gale Norton from Governor of New Jersey Codey nominating Mr. Van Campen and Mr. Longcore to the Commission.
4. *Pocono Record* article dated December 7, 2005, titled "Large Development Plan Unveiled in Lehman".
5. *New Jersey Herald* article dated December 7, 2005, titled "First-day Count of 136 'On Pace' with '03 Hunt".
6. Letter dated December 7, 2005, to Chair Kresge from the Secretary, Pennsylvania Department of Conservation of Natural Resources, relaying the results of a meeting he had with the Lehman Township Supervisors regarding the acquisition of a right-of-way across the Delaware State Forest.
7. Letter dated December 11, 2005, to the Superintendent from Mr. Hoffman asking for a variety of items concerning the Commission and the cell tower proposals. The park's response is included.

8. Memorandum dated December 14, 2005, to Chair Kresge from Mr. Gross concerning hunting in the recreation area. Follow up comments from Mr. Van Campen and Mr. Hanley are included.
9. Memorandum dated December 16, 2005, to the Federal Register Liaison from Superintendent Donahue asking that meeting notices for the next three Commission meetings be posted.
10. Memorandum dated December 16, 2005, to the Secretary, Department of the Interior, from Superintendent Donahue with the New Jersey Governor nominations of Mr. Van Campen and Mr. Longcore to the Commission.
11. Electronic correspondence dated December 27, 2005, to the Superintendent from the Park Wildlife Biologist reporting how many bears were taken in the park during the 2005 New Jersey black bear hunt. A response from Mr. Van Campen is included.
12. Press release dated January 4, 2006, titled "Fee Collection Resumes on Route 209 within Park".
13. Press release dated January 5, 2006, titled "Delaware Water Gap NRA Citizen Advisory Commission Meeting". A copy of the draft agenda and directions to the meeting are included.
14. Letter received January 5, 2006, to the Commission and the Superintendent from Mr. Homyak asking for statistics on the New Jersey black bear hunt within the recreation area. The park's response is included.
15. Press release dated January 7, 2006, titled "Hiker Rescued Following Fall into Park Creek". A *Pocono Record* article titled "Shawnee Man Rescues Hiker from Frigid Creek" is included.
16. Letter dated January 7, 2006, to Mrs. Batko from Chair Kresge responding to her inquiries about the Neldon-Hornbeck nomination to the National Register of Historic Places and historic leasing.
17. Electronic correspondence dated January 6, 2006, to the Commission announcing a January 12 study session.
18. Letter dated January 13, 2006, to the Superintendent from Mr. Hoffman asking for further information concerning Commission minutes.
19. Packet of information concerning the requirement for background checks on Federal employees.
20. Packet of information concerning the new draft National Park Service Management Policies.

Mr. Gross reported that a response to the Commission's letter regarding the Mosiers Knob development was received from the Delaware River Basin Commission. A copy of a letter from the Pennsylvania Department of Conservation and Natural Resources informing Lehman Township that the state is not interested in allowing a right-of-way on their property for a road that would also go through local hunting clubs was also received. Lehman Township's primary intent for wanting to use eminent domain to take over a private road and get permission from the state of Pennsylvania to use a state road is still unclear. Superintendent Donahue reported that he visited the Lehman Township Supervisors last week and they said they will answer the Commission's letters. They also invited the Commission to hold a public meeting at their facility.

Chairman's Report

The Acting Chair had nothing to report at this time.

Public Participation

Tom Hoffman

Mr. Hoffman referenced the absence of a notice in the Federal Register for tonight's meeting. There was another recent meeting when three of the then six members did not appear, and a previous failure to put a notice in the register when a meeting was well attended. He asked if there is any one person responsible for making sure these meetings get posted. Mr. Gross replied that the Commission relies on the park service to set postings. Both times the notice did not appear because someone in the Washington office dropped the ball and the Commission meeting never got on the agenda. Everything was done legally and properly from this end. Mr. Gross apologized to those who came expecting fireworks. Mr. Hoffman replied he would settle for a Roman candle. Mr. Gross stated that the Commission has done a lot of work in the last few days and cannot act on that tonight.

Mr. Hoffman stated that it would benefit the new members to discuss what is happening with other parks. Stillwater Township has a new park, the Pond Brook Park, built with Green Acres money. This township is adjacent to the national park and used to have direct access to the recreation area, but soon after taking over the Federal government closed Fiddlers Elbow and they no longer have that access. Now they have their own park and do not need to come to the recreation area. Mr. Gross replied that Fiddlers Elbow was closed twenty years ago, and the park took over forty years ago. The park service was concerned about the number of accesses to the recreation area, and Fiddlers Elbow had always been a dangerous road. The decision was made before the Commission was formed to close it. It is one of the objectives of the Commission to take a hard look at other roads the park service wants to close because they have an obligation to work with people who want to recreate here. Mr. Hoffman stated that ten years ago he and Mr. Gross suggested that Acting Superintendent Grovert bring discussion of proposed road closures before the Commission. He does not know if that happens, and urged Mr. Gross to pursue it. Mr. Gross replied that it does happen, but not as often as the Commission would like.

Mr. Hoffman stated that legalized gambling may bring more visitation to the park, with the resulting plusses and minuses. This topic was discussed recently at a meeting in the Upper Delaware, where Mr. McMann of the Urban Land Institute said the increased number of visitors could be positive in such ways as creating jobs, infrastructure and tax base, and providing a market for local products. He also said that tourism of any kind has a downside such as crowds, crime, cost of living increase and the degradation of resources. Mr. Hoffman wondered if the Commission would like to discuss these impacts before gambling comes into the area.

Mr. Hoffman referenced past discussions about locating a boot camp, that a former Superintendent wanted to develop, on the ridge on the Walpack-Stillwater line. There was a great deal of debate and it was shot down mainly by then Congresswoman Roukema who convinced the Secretary of the Interior to thwart the proposal because of legitimate security concerns. A recent study indicates boot camps and other get-tough programs for adolescents do not prevent criminal behavior and may make it worse; therefore it is fortunate this boot camp was never located here.

Alicia Batko

Mrs. Batko welcomed everyone to Montague Township and summarized a prepared statement (Attachment #1). She added that she was led to believe there would be a study session of the Commission, and reminded them as she did in 2004, that New Jersey Preservation stands ready and willing to assist. She has not heard confirmation that the park has contacted them. Mrs. Batko has been getting inquiries because people cannot get factual information on the program because of the infrastructure issue. New Jersey Preservation is willing to advocate and speak to the Congressman, but do not want to write him to give the park more work. They want to advocate to get the park assistance. There were promises when the properties were acquired that are not being fulfilled. Many of these homes are significant and are not being maintained. One gentleman wrote looking to restore a residence. That is the type of people we want to attract. She sent him information that the Management Assistant gave her to distribute, but he stated he was not interested because it was the same information he had received years before. She urged the park to get the historic leasing program going because the park is in a unique situation. Homes have sat vacant for forty years, and they are all going to fall to benign neglect. She encouraged them to read her letter, look into it, and get everyone networking in unison.

Mr. Gross stated that he has no objection with Mrs. Batko as an individual working through the committee chair, but he does not want to cramp the park service because they have to do the work. There are new Commission members who will be on the committees, and the Chair should be the contact, but the park staff has to do work.

Superintendent Donahue introduced park staff in attendance. He invited the Chief of Visitor Services and Cultural Resources to address Mrs. Batko's issues. The Chief of Visitor Services and Cultural Resources invited Mrs. Batko to meet with him after the meeting to discuss her concerns. He met with the park historian and talked with Dr. Tobias, and would like to work with Mrs. Batko on this.

Superintendent Donahue explained that the park has been working to make the historic leasing program a practical program for a very, very long time. While legislation was passed to broaden the type of buildings that can be leased out, there have been no regulations or policy guidance from Washington, so the park is working in the blind. There have been successes, but not many. Parks with successful programs are the parks like Cuyahoga in Ohio which receives a million dollars a year specifically to rehabilitate historic structures before leasing them. There is one corporate entity that took over all the buildings in Sandy Hook and then leased them out individually, but that was very unpopular and the local Congressmen are complaining. Delaware Water Gap National Recreation Area has exactly zero dollars in the budget for this purpose. The structures here need between three hundred thousand and two million dollars each in investment and, even though it is amortized over forty years, it takes a lot of cash available and the proposed use has to be appropriate within the confines of the park. While there have been many inquiries and the structures have been shown, in the end there are few that go through with it. Many do not realize the magnitude of the investment. We hoped to put out five proposals last year, a complicated process involving appraisals and rent calculations, but put that aside because of the storms pulling our resources away. We plan to try again this year. It is a disheartening process and we need guidance from Washington to simplify it. the public could encourage the

government to produce a set of regulations and policies for leasing so individual parks have them to use. Superintendent Donahue would not reject one million dollars a year to rehabilitate these structures and get them ready to lease.

We are ready to lease out Slateford Farm to a historical architect who will operate his business from there. The Callahan House is a success, but the Pike County Chamber of Commerce is planning to vacate it this year. It is in good condition and needs the right tenant. A lease was signed with Dave McConnell for the Crane-Goldhart House, but he passed away a week later. We are continuing with the proposal. This is another instance where the park did the work on the superstructure and someone needs to do the interior. We were focusing on the Ramirez Solar House, but when the potential lessees got to the final discussion they changed their minds. There is interest in the former Silver Spray Farm, correctly called the Shoemaker-Houck property. We hope to see the Peters House leased, but it is in bad shape. Most of these properties require a large amount of investment and most people who inquire do not have that. The park has made proposals which were not approved by Washington or Region because they did not think enough money was coming in when we just want the building taken care of. Success is limited for the amount of time put into this program. It will cost about thirty-five thousand dollars to put out five proposals this year. Region is showing more interest.

The Callahan, Crane-Goldhart, Ramirez, Shoemaker-Houck and Peters properties will be offered this year. Interested folks should contact Management Assistant Bill Halainen or Superintendent Donahue. A request for proposals has to be put together for each property, those interested then make their proposals, and we judge them against other proposals. The deal has to be in the best interest of the United States, pass the red-face test.

We do ask people to use the properties for a dual use – a business that is appropriate to the park in addition to a residence. We are trying to strike a balance. There is a problem if it becomes a residence only, because public access and recreation on that property cannot be restricted. Superintendent Donahue added that many people sacrificed their homes to create the park, and this program has to be sensitive to them.

Mr. Chant suggested a citizens committee be formed to take a hard look at this situation. The government looks at how much money they would make on these buildings, but they should look at how much money they are losing in depreciation. He offered to get other realtors to evaluate this and go to Washington with the facts and figures. He remembers how crazy it was when he was trying to lease the Callahan House, and was told it would cost four times as much as he had calculated to restore the building. He took the minimum lease because he was told it would take longer to get a longer lease. It has long been a confusing process. These houses are going to fall in and many already have. He would help arrange meetings and create statistics to use when talking with those in Washington. Someone needs to meet with the park service and get specific details. Superintendent Donahue replied that is a great idea, and he will contact Mr. Chant in the future. Some of the structures referenced are historic and we plan to restore them, but some were purchased with the intent of destroying them, to put them under water. People were being told their houses were meant to be destroyed.

A member of the audience asked if a Church mission group that wants to use a building to start off would have to use a building that was formerly a Church. Superintendent Donahue replied that the question would have to be formed more specifically. The park is not doing short-term leases, but he will be happy to research that question and provide an answer at a later time.

Mr. Gross stated that the park has spent a lot of time working to do something with these abandoned buildings. There is another side to this issue. An open meeting can be held under the Commission to discuss that subject.

Janina Wycalek

Ms. Wycalek is a resident of Walpack Township and a member of the Walpack Historical Society. She asked which historic structures the park service plans to destroy this year and what the destruction date is. The society is planning discussion topics for the year and would like to include this issue on their agenda.

Superintendent Donahue replied that the park is not planning to tear down any historic structures. There are plans to demolish non-historic and hazardous structures, but none of them will be demolished this year. It is a long-term project. In order to approach the preservation of historic and those contributing to cultural landscapes, and to focus on protecting the most important features, the other, mostly hazardous structures, need to be eliminated.

Ms. Wycalek stated that the historic society may feel that certain buildings are historic that the park may not feel are. Superintendent Donahue reported that the project has been pushed back to 2010. He plans to visit each interested group and speak to them about this to develop a consensus that this is what needs to be done. There is no way the park will ever have the funds to restore and preserve five hundred buildings; it is not the purpose of this unit of the National Park Service, and even if it was, it is not physically possible. Ms. Wycalek asked that the Superintendent let the historical society know when a decision has been made. Superintendent Donahue stated that he has spoken about this issue to many groups. Before the buildings are demolished, a determination of effects, a mini-study to determine if it should be on the National Register of Historic Places or is contributing to a cultural landscape, will be done. He does not necessarily see things the same as some who come here to talk about the various structures. He feels it is appropriate, as one travels through the cultural landscape of this park, that some of the buildings are perfectly preserved, some are deteriorating, and some are fallen into the earth, because it is what you will see in any rural area in the country. Ms. Wycalek countered that one would not see mattresses in houses where people have been sleeping, who have thrown whatever is in the house through the window, in Ohio or anywhere else. Superintendent Donahue respectfully disagreed.

Ms. Rodimer stated that if the historical society is given this information before the buildings are demolished, they could document them and take photographs, so they would at least have pictures for future history. Superintendent Donahue stated that is exactly what the determination of effects is, documenting the structure for history. He is glad the funding has been pushed back because that allows time to document the structures and time to spend with the historical societies and the general public to help them understand what the purpose is and why we are proceeding in this way. There may be information the societies can share with the park that may

change our mind. He recognizes this is an emotional issue and has empathy. He tries to keep the sacrifice that was made by the people who were dispossessed here in mind in every decision he makes. This was one of the worst examples of acquisition that ever took place because of the many changes in policy, and the different deals that were made with different people. He would not lightly decide to eliminate any structure or to spend an excessive amount of money to preserve them. He asked that everyone please try to keep open mind.

Mr. Murray stated that one of the best things to do is educate, establish technical criteria for what is a historical building and what is not. That in-between grey area is where trouble will come in. The actual definition and personal criteria needs to be established. Litigation over it should be avoided. Superintendent Donahue stated that he hopes everyone recognizes that he has been completely transparent, completely in the open. He will not bring an issue forth until he has information to share with the public.

Mrs. Batko stated that the historical societies have the expertise and know the national parameters for recognizing historic structures. She requested the Superintendent get the lists out to the societies and towns so they can gather information and provide data to the park because the park historian does not have the time to do them all. Superintendent Donahue stated that once the determinations are completed, the park will have the context to address that with the public and the public can comment. Mrs. Batko stated that they are trying to spare the park the groundwork.

Mr. Gross suggested this discussion be continued after the meeting.

Mr. Gross introduced the Commission members: Cathie Maxaner, Pennsylvania, and Jan McDowell, New Jersey, representatives of the Secretary of the Interior; Gordon Heller, replaces Dr. Mineo as representative for Northampton County; Jim Price, represents Monroe County; Dick Gross represents Pike County; Bill Hanley represents Warren County; Greg Kresge (absent) represents Sussex County; Sonny Murray represents the Governor of Pennsylvania along with Gina Bertucci-Turner who is absent; and Steve Van Campen (absent) represents the Governor of New Jersey. In the audience is Mr. Bob Longcore, who has been nominated by the Governor of New Jersey along with Mr. Van Campen whose term has expired. They are awaiting confirmation from the Secretary.

Mr. Gross also recognized Dave Chant, a past member and chair who is in the audience.

Superintendent's Report

Superintendent Donahue reported that last year marked the fortieth anniversary of the creation of the Delaware Water Gap National Recreation Area. The park had a lot of exhibits and two private individuals created a video about the park. It will be distributed widely throughout the country with the intention of raising the profile of the park. The hope is that if we look like we do not need money we will get all the money we need. They will not be for sale at the visitor centers at this time. Copies of the video were given to all attendees.

Victorian Christmas and Carol Singing celebrations were held at Millbrook Village in December.

The Friends of Delaware Water Gap National Recreation Area held a planning meeting in December. There are several members of the Friends in attendance tonight.

Congress passed and the President signed the authority to collect commercial vehicle fees on Route 209. About ten thousand dollars were lost during the three months the park was not able to collect fees and a lot of trucks that were in the past allowed to use the highway had to be turned away. Commercial traffic is not allowed to travel through national parks, but Congress recognized the uniqueness of the Route 209 situation and allowed a temporary use by commercial vehicles. While this authority has been extended another ten years, it was never meant to be permanent. The roads in the surrounding area have not kept up with the current need.

Johnny Carawan is the new permanent full time Volunteer Coordinator.

Park Ranger Mike Zirwas transferred to Isle Royale in Utah, and Dan Johnston will leave in February for the Chesapeake and Ohio Canal. Rich Aldridge, from the Great Smoky Mountains, has been hired and will be coming on board in March. More rangers will be hired in the coming months.

Budget Analyst, Beth Smith, will begin work here on February 5.

The New Jersey bear hunt took place with no major incidents.

Park Rangers assisted Worthington State Forest with a hiker who succumbed to a heart attack on the Mt. Tammany fire trail on December 3.

A motor vehicle accident victim was airlifted from River Road in December. The victim is recovering from her injuries.

Rangers undertook the successful rescue of an injured hiker on the Indian Ladder Trail in Hornbeck Creek on January 7. The victim was aided by another hiker and his fiancée until park rangers got there.

Commission Reports

The new Commission members were invited to join one or more committees.

By-Laws Committee

All members of the Commission are members of this committee. Mr. Van Campen is the chair. There was no report.

Cultural Resources Committee

Mr. Kresge is the chair of this committee. A special meeting can be held to discuss park buildings if there is enough interest.

Inter-Governmental Committee

Mr. Van Campen is the chair of this committee. There was no report.

Natural Resources Committee, Mr. Gross

Mr. Gross reported that there were a lot of standing crops, primarily corn, that were not cut this past hunting season and a lot of hunters did not go in. Years ago, a former superintendent said he would not stop anyone from hunting in standing crops. It is legal to hunt that in both states, but it is up to the landowner to give permission. This will be an issue this year.

Mr. Gross asked about the Santos Farm. Superintendent Donahue reported that there is continued interest in this one hundred twenty acres along Routes 209 and 6 on the northern extreme of the park boundary. It is an exceptionally beautiful riverfront property and there are several developers interested, but the family expressed an interest in having the United States, or another government entity or school buy it. The Delaware Valley School District plans to purchase it. Superintendent Donahue has been working with Milford and numerous open space interests, and will approach Matamoras as well to cobble a partnership where the school will have fifty acres along the road, leaving seventy acres kept in open space. It is not important who owns the property in fee, but it is important to have that property preserved. Whatever occurs on that property will impact the park on the other side of the river. The United States also owns properties on either end of the Santos property. This could be a community park, since none of those communities have parks. He met with the school superintendent today and the district is in negotiation for the property. Everyone seems to be of a like mind. It will be an ideal partnership with various government entities and a private entity.

Mr. Gross stated that it is important to point out that the National Park Service owns the New Jersey side of the river and has been picking up some of the old farms. The park owns the land above the Santos Farm. The key issue is protecting the river. Development in there would mess up the flood plain (which is under water again today). Last September the water came halfway up into the cornfield, leaving behind a lot of trash. The other considerations he has on the property are not as important as protecting it from development. The school system going in there may be the lesser of several evils. Superintendent Donahue reported that the park service does not have a lot of money available for acquisition and a sole acquisition for the park service would not be viewed favorably. A partnership opportunity would be saleable and the park would be able to get funding for that.

Mr. Gross referenced two developments outside the park boundary. Mosiers Knob is already under construction and adding twelve hundred units. The Commission sent a letter to the Delaware River Basin Commission asking if that property would be grandfathered in for wastewater treatment. The Delaware River Basin Commission said it would, but that is not the final answer because the treatment plant is owned by Shawnee and sits above the park's legislative boundary. Whatever comes out of there has to meet the standards of special protection waters standards.

A new proposed development, the Highland Village, is part of Tamiment, on the west side of Little Bushkill Falls Road. Developers want to put forty-one hundred dwellings on that twenty-two hundred acres. They are looking for a zoning change to bring it to fifty-eight hundred dwellings. Mr. Gross is keeping an eye on it as he is concerned about where the potable water will come from. The developers have not looked at that yet and have said they are studying the wastewater situation. It will be a substantial amount. There will be fifty-seven hundred homes total, and when you multiply that for families, a tremendous amount of water is needed.

There was a successful New Jersey bear hunting season.

Public Visitation and Tourism Committee

Mr. Van Campen is the chair. There was no report.

Recruitment Committee

Mr. Van Campen is the chair. For the first time in years there will be eleven members on the Commission.

Depue Island Committee, Mr. Price

No news is good news. It has been flooded a few times and they are probably under water again.

Pocono Environmental Education Center Committee

Dr. Mineo was the chair of this committee. Superintendent Donahue reported that the construction project including two multiple dwelling cabins is progressing. We hope to have it done by Earth Day but it will be done this spring.

Business and Finances Committee

Mr. Van Campen is the chair. There was no report

Walpack Valley Environmental Education Center Committee

Mr. Van Campen is the chair. Superintendent Donahue reported that the Warren County Community College was interested, but had a change in its board of directors and they are no longer interested. There are others now interested.

Mr. Murray asked if, in the event something happens and the Mountain Laurel Center is not sold, there has been any thought of taking that facility over, especially as it was paid for by public money. Superintendent Donahue replied no, there is another proposal to purchase the center by Wolfington, the same outfit that bought Tamiment, who will propose senior housing and commercial space there. The park will be concerned because of the potential impact on the Bushkill Creek because of the water draw and sewerage. Mr. Wolfington bought the store at the intersection of Route 209 and Bushkill Falls Road, which was formerly owned by Mr. Ahnert. The Wolfington company one of several companies that build entire towns. They have asked for a meeting with the park and the Pennsylvania Department of Transportation to talk about the roads. They are looking at building five thousand units.

Mr. Murray stated that as things get more and more developed, an attempt should be made to explore partnerships. The public's money has gone into the Mountain Laurel Center, and the Commission should investigate it. Superintendent Donahue responded that the center is outside park boundaries, but the park does have an interest in the waters and the road. There is a positive side in that an additional seven thousand people will pass by the Peters House, making it more attractive to a lessee. Superintendent Donahue said that perhaps the Commission would like to establish a subcommittee to track this development. They are already allowed to build forty-two hundred units at Tamiment, and they want to go to fifty-seven hundred units for senior housing which will have a lower impact on the infrastructure of the communities.

Mr. Murray stated that several townships have major new comprehensive plans as to development impact. He asked if the park is doing the same thing as it relates to all townships and coordinating their comprehensive plans with the park service plans. Superintendent Donahue replied that there is a land protection plan that identifies areas around the boundaries and potential impacts. The park has been mapping development along the watersheds which was identified by the park decades ago as the best strategy to protect the park. Ms. Cooke-Bauer explained that she gets a lot of information from regulators when they hand in applications for permits. She has also helped write the Pike County Steering Plan, similar plans in New Jersey, and a lot of watershed conservation plans.

Superintendent Donahue added that now that these large corporations are involved, there will be a huge jump in development in this area. These companies have built towns in Maryland and Florida, like Levittown. The park has to be involved in the process. We will not be able to determine all of the outcomes, but will have an input in how they will impact the park and its natural resources. Mr. Murray stated that there is legislation directing the park service to conserve and protect. There is an obligation. If it can be proven that they will negatively impact the park in the next twenty years, they can be stopped. Superintendent Donahue replied that the park's handle is water and transportation. The United States does own significant portions of the transportation corridors necessary to the viability of these communities. Mr. Murray asked if the park has a presence at the local level. The reply was yes. Park staff is sent to observe and listen, and sometimes comment. Wolfington has asked for a meeting to discuss the infrastructure. The park has a stake and something to bring to the table to help protect the natural resources. While the townships make the zoning decisions, because of the water, it will have to go to the Delaware River Basin Commission as well and the park has a natural entrée to have an impact on what is required of the developers.

Tom Shimalla, president of the Bushkill Watershed Conservancy, commended this discussion and offered to work with the Commission and the park on this issue. They are small but can provide a louder, stronger voice.

Mr. Gross stated that it may be a good idea in the future to have the involved staff come to a Commission meeting and explain what is going on, especially on watershed deals. The Commission has an obligation to find out what is going on and let the park service know.

Mr. Heller stated that the problem is deep-set under the Pennsylvania municipality code which lets townships set the zoning. The problem with their mindset is that when some of the township supervisors hear forty-one hundred units, they are looking at new fire engines, not the impact on the quality of life. One hope is education through conservation zoning around the perimeter of the national park. How that is taken to the townships to sell it, he does not know. If they can be led to consider a conservation plan that would be developed in their comprehensive plan, it would carry over to their zoning and planning ordinances and that would be helpful. The cat is out of the bag with these big corporations coming in. A conservation perimeter around the park has to be looked at to relieve the pressure.

Mr. Murray stated that initially, when they want something, the big companies are willing to give up a lot. Once they have it they cannot be controlled anymore. Now is the time to get them to make concessions, because after it is approved there is nothing we can do because the big lawyers will negotiate. Let us not be passive and later on have to deal with problems. Exercise power responsibly.

Mr. Gross stated that power is going to be working with the groups that have the responsibility. There are no teeth in the planning commissions, they have to rely on the townships to make their decisions. In New York state the developers have the upper hand and if they do not get what they want they sue. That is happening in New Jersey now, too. The Commission is in a position to assist the park service because the park cannot go outside its boundary. There are regulations to protect the water with the Delaware River Basin Commission through the four states and the Federal government, it does have teeth and the water quality standards that have to be abided by. It will be interesting at Shawnee if they cannot produce the quality water to match what is in the river now.

Superintendent Donahue stated that New Jersey is well protected because of government owned lands and the laws put in place. There is rampant development on the Pennsylvania side and the recreation area is in the midst of becoming a Central Park. All three states have identified the black bear as being a mutually regional population and the park is inviting all three states to a black bear management workshop in March. On the Pennsylvania side, there are thirty-five thousand acres of recreation area and substantial amounts of state land but with no connection to the park. He will encourage Pennsylvania to use open space money to create wildlife corridors to connect state lands to federal lands to allow them to move freely to Pennsylvania, New Jersey and New York. If that is not done now, it will be impossible because of the number of houses there will be. He invited everyone to join the park in encouraging the states to look at this. It is harder for the states to work on projects like this together because they have boundaries, but the park is a natural medium for that discussion. This meeting will also be a way for the states to start working together on the development issues.

Mr. Gross suggested that new members let the Chair know which committees they would like to join at the next meeting.

Old Business

There was no old business to discuss.

New Business

Future meeting dates were scheduled:

Saturday, March 11, 2006, at 9:00 a.m. at the Bushkill Meeting Center, Bushkill, Pennsylvania.
The agenda for this meeting will include placing new members on the committees.

Thursday, May 4, 2006 at 7:00 p.m. at the Pequest Trout Hatchery in Hackettstown, New Jersey.

Thursday, August 24, 2006, at 7:00 p.m. at a site in Lehman Township.

Mr. Hanley reported that there are proposed changes in the National Park Service Management Policies and the Organic Act. This issue was discussed at the study session. The current National Park Service Management Policies were adopted in 2001 and have recently undergone a top-down rewrite by the Assistant Secretary of Fish, Wildlife and Parks that will become effective in 2006. Generally this would have been done by the National Park Service and moved upward for approval. This top-down approach makes one question what the impetus was, why change things including the Organic Act which has served since 1916. Mr. Hanley stated that the intention is to force parks to open to more motorized forms of recreation. Public comment was extended to February 18. A list of websites to access the current and proposed plans, including comparisons, was handed out. There are line by line analyses by different organizations and all newspapers have written editorials. Comments can go in three ways: by email, mail, or right on the Internet. They go to the National Park Service Washington Office, not directly to the Assistant Secretary's office. Some attendees felt that as the Assistant Secretary's office drafted the changes, comments should be sent to them.

Congress is also interested in the changes and has asked for the extension. The park will send out a press release to notify everyone of the draft policies and comment period. A letter will be sent to park partners.

Mr. Hanley stated that without specifics, a motion cannot be passed, but a letter can be sent expressing concern, with only a consensus from the Chair. Commissioners can send comments but cannot represent the Commission, but a letter from the group may carry more weight. The impact is too significant on how it could change the nature of the National Park Service. Mr. Gross stated that it can only be legally done as the chairman of a committee, which he has done before.

Superintendent Donahue reported that the press is looking at it because the present management policies were adopted in 2001 and now, five years later, new ones are being drafted. The 2001 policy replaced the policies written in 1988.

Ms. Maxaner stated that it is important that the Commission listen to the comments of the citizens of the Delaware Valley, but there will not be another opportunity to do so. The Commission cannot have an official meeting without advertising in the Federal Register. Superintendent Donahue stated that comments can be sent to him at the park and he will collate and forward them to Washington. Mr. Gross offered to assist. Mr. McDowell suggested the Commission have a law student come in to look it over. It will be available at park offices.

Public Participation

Tom Hoffman

Mr. Hoffman believes that an occasional reference to the Commission By-Laws would provide some guidance to this revision of the management manual. Page seven of the By-Laws states, concerning study sessions, that no official business may be conducted at study sessions and that reports of study sessions will be given at the next official meeting or public forum. Mr. Hoffman stated the Commission touched on that meeting, and asked if it feels a constructive report was given. It would be a lot easier for people who want to comment on the proposed changes if they saw a discussion of the manual in context. Mr. Hanley replied that the Commission received

these copies at the meeting tonight, and only became aware of the issues last week. They do not have a lot of information. He has done some research but as a group they do not know much more than what they reported tonight. It is of concern because it is addressing core policies such as the Organic Act. That is all the Commission knows on that subject.

Mr. Hoffman stated that the Commission should then state that they are unable to comply with that section of the By-Laws which requires a report on the activities at the study session. Mr. Hanley replied that they did report on the study session.

Mr. Hoffman stated that it is not foolish to discuss compliance with the By-Laws. This is part of a larger issue and that is the politicization of the Department of the Interior. There was a court case early last year in which the Secretary attempted to have the brown wolf stricken from the Endangered Species Act protection. Fortunately, somebody persisted on it and the rule allowing ranchers to shoot wolves on site if they were attacking livestock was rescinded. The person promoting this perhaps for the Secretary was Paul Hoffman. Mr. Hoffman suggested folks write to Mr. Hoffman so he knows of the public concern. He also suggested writing to regional Congressmen.

Mr. Hoffman stated that the new Commission members hold the future of this agency in their hands, how credible and effective it is going to be. He would like to see several committees created in areas he thinks are important. He stated that the terms of the members were not meant to be life terms and there may be others out there who want to serve. There have been members on the Commission who also served on boards with whom the Commission was doing business. It does not look good and when they act on that potential conflict they have a real conflict. There should be a public health and safety committee as we heard several discussions on that tonight. At tonight's meeting alone there were at least three violations of the By-Laws: committee chairs wearing more than one hat; the number of people on the By-Laws Committee - it cannot be everyone because it is strictly forbidden because membership of committees is limited to five; timely minutes are a requirement, it cannot be more than seven days prior to the next meeting. Two sets of minutes were approved tonight. Somehow that got off track. Members of the Commission replied that no minutes were approved tonight as there is no official meeting. Mr. Hoffman replied that the Commission should have. He would like to see a Commission compliance officer. There have been violations for years and nothing has been done. Think about employing a compliance officer, someone not on the Commission or in the park service, maybe someone from a law school, so the Commission does not enter the new year with new people with multiple violations of the By-Laws.

Mr. Murray thanked Mr. Hoffman for providing an information package on ethics. It is important that citizens take an interest. He will read the By-Laws and work with fellow Commissioners in helping to comply with them. Mr. Hoffman stated that he is encouraged. He also encouraged Mr. Murray to get a full copy of the 2001 Management Policies and the revised edition when it comes out. Otherwise time is wasted as there is no way they can compare the mandates on the National Park Service and the actual performance without that manual. He suggested the Commission pursue the recommendation of a conservation plan, but more broadly and develop a Delaware River Regional Watershed plan. That is the key to so many of these issues. Pennsylvania is frantic about home rule, New Jersey is a little better but there are major

problems. The Chief of Research and Resources Planning has done a yeoman service on the Tri-State wastewater plant, there is a lot of data, and groups you can borrow from. If there is one thing, pursue that regional management plan. The Commission has a budget of \$70,000 and there has been no answer as to where that goes, but there is funding so use the funding and expertise that is available.

Adjournment

This meeting of the Delaware Water Gap National Recreation Area Citizen Advisory Commission was adjourned at 9:48 p.m.

Respectfully submitted,

Christine M. Nelson, Secretary

Approved:

E. Gregory Kresge, Chair